

AMENDED IN SENATE APRIL 11, 2012

SENATE BILL

No. 1345

Introduced by Senator Evans

February 24, 2012

An act to amend Sections 8241, 8242, 8244, 8245, and 8246 of, to add Section 8250.5 to, and to repeal Sections 8240 and 8245 and add Section 8240 of, the Government Code, relating to state government; and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1345, as amended, Evans. State government: Commission on the Status of Women.

Existing law creates within state government the Commission on the Status of Women, consisting of 17 members, *including certain Members of the Legislature*. Existing law sets forth the powers and duties of the commission, *and authorizes the commission to study certain topics*.

~~This bill would revise and recast the duties of the commission. The bill would require the commission to advise the Governor and the Legislature on the gender impact of the state's proposed budget. The bill would annually appropriate \$465,000 from the General Fund to the Commission on the Status of Women, thereby making an appropriation.~~

This bill would authorize the members of the commission who are also Members of the Legislature to vote by proxy. The bill would provide that various powers and duties of the commission shall be carried out only to the extent that funds are available. The bill would authorize the commission to study additional topics. The bill would authorize the Legislature to recommend that the commission study additional topics relevant to women. The bill would authorize the commission to review the implementation of any law to ensure that the law is not

discriminating against women or creating an inequitable environment for women.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. The Legislature finds and declares all of the~~
- 2 ~~following:~~
- 3 ~~(a) Governor Pat Brown initially established the Commission~~
- 4 ~~on the Status of Women as an advisory committee in 1965. The~~
- 5 ~~committee was made a permanent commission by the Legislature~~
- 6 ~~and Governor Ronald Reagan in 1971.~~
- 7 ~~(b) The commission is an independent voice within state~~
- 8 ~~government for California women and girls. The commission~~
- 9 ~~serves as an important link between many communities and the~~
- 10 ~~government, including working families, incarcerated women,~~
- 11 ~~immigrant women, women of color, and those with least access~~
- 12 ~~to state government and services.~~
- 13 ~~(c) The commission facilitates the development of coalitions of~~
- 14 ~~diverse organizations around various issues, such as reproductive~~
- 15 ~~rights, paid family leave, and incarcerated women.~~
- 16 ~~(d) The commission is an important source of information and~~
- 17 ~~data on women and girls for the Legislature, private organizations,~~
- 18 ~~individuals, and state and local entities.~~
- 19 ~~(e) Eighteen million seven hundred thousand women and girls~~
- 20 ~~call California home, comprising over half of all its residents. More~~
- 21 ~~than 12 percent of the women and girls in the United States live~~
- 22 ~~in California.~~
- 23 ~~(f) Women have made tremendous progress in the years since~~
- 24 ~~the commission was created, but full equality has not yet been~~
- 25 ~~achieved.~~
- 26 ~~(g) The current budget crisis and the economy are having a~~
- 27 ~~disparate impact on women and their families, making the work~~
- 28 ~~of the commission even more important as the state moves forward.~~
- 29 ~~(h) This economic downturn is the first in recent history in which~~
- 30 ~~women experienced substantial job loss.~~
- 31 ~~(i) Although there are signs that California's job market is slowly~~
- 32 ~~recovering, recent data suggests that women have not shared~~
- 33 ~~equally in the state's modest employment gains.~~

1 ~~(j) In response to sizeable budget shortfalls, California~~
2 ~~lawmakers have repeatedly targeted programs that low-income~~
3 ~~women rely on to support their families, gain the education and~~
4 ~~skills they need, find and retain jobs, and remain safely in their~~
5 ~~own homes as they age.~~

6 ~~(k) Budget cuts have also affected women with disabilities, as~~
7 ~~well as women who work in child care, in-home care, teaching,~~
8 ~~and other professions that rely on public funds.~~

9 ~~(l) Women make up a majority of the workers in local~~
10 ~~government, a sector that has continued to lose jobs even as the~~
11 ~~labor market, as a whole, has begun to slowly make gains.~~

12 ~~(m) For these reasons, it is necessary that the commission be~~
13 ~~funded pursuant to this act.~~

14 ~~SEC. 2.~~

15 *SECTION 1.* Section 8240 of the Government Code is repealed.

16 *SEC. 2.* Section 8240 is added to the Government Code, to
17 read:

18 *8240. The Legislature finds and declares all of the following:*

19 *(a) Governor Pat Brown initially established the Commission*
20 *on the Status of Women as an advisory committee in 1965. The*
21 *committee was made a permanent commission by the Legislature*
22 *and Governor Ronald Reagan in 1971.*

23 *(b) The commission is an independent voice within state*
24 *government for California women and girls. The commission serves*
25 *as an important link between many communities and the*
26 *government, including working families, women of color, and those*
27 *with least access to state government and services.*

28 *(c) The commission is an important source of information and*
29 *data on women and girls for the Legislature, private organizations,*
30 *individuals, and state and local entities.*

31 *(d) Eighteen million seven hundred thousand women and girls*
32 *call California home, comprising over one-half of the state's*
33 *residents. More than 12 percent of the women and girls in the*
34 *United States live in California.*

35 *(e) Women have made tremendous progress in the years since*
36 *the commission was created, but full equality has not yet been*
37 *achieved.*

38 *(f) The current budget crisis and the economy are having a*
39 *disparate impact on women and their families, making the work*
40 *of the commission even more important as the state moves forward.*

1 (g) For these reasons, it is necessary that the commission
2 continue to be funded pursuant to this chapter.

3 SEC. 3. Section 8241 of the Government Code is amended to
4 read:

5 8241. There is in the state government the Commission on the
6 Status of Women. The commission shall consist of 17 members:
7 three Members of the Senate and one public member appointed
8 by the Senate Committee on Rules, three Members of the Assembly
9 and one public member appointed by the Speaker, the
10 Superintendent of Public Instruction, the Chief of the Division of
11 Industrial Welfare in the Department of Industrial Relations, and
12 seven public members appointed by the Governor, with the consent
13 of the Senate. The Members of the Legislature shall serve at the
14 pleasure of the appointing powers. *The Members of the Legislature*
15 *may vote by proxy.*

16 Public member appointees of the Speaker and the Senate
17 Committee on Rules, and appointees of the Governor shall serve
18 four-year terms. All persons appointed pursuant to Section 2 of
19 Chapter 1378 of the Statutes of 1965, as amended by Chapter 382
20 of the Statutes of 1973, shall continue in office until the expiration
21 of their term and the appointment of their successors. The
22 appointing powers may reappoint a member whose term has
23 expired, and shall immediately fill any vacancy for the unexpired
24 portion of the term in which it occurs.

25 All appointees shall hold office until the appointment of their
26 successors.

27 SEC. 4. Section 8242 of the Government Code is amended to
28 read:

29 8242. (a) Public members of the commission shall receive one
30 hundred dollars (\$100) per diem while on official business of the
31 commission, not to exceed 12 days per year. Each member of the
32 commission shall also be entitled to receive his or her actual
33 necessary traveling expenses while on official business of the
34 commission. *This subdivision shall be carried out only to the extent*
35 *funds are available.*

36 (b) The commission shall select annually from its membership,
37 a chairperson and vice chairperson.

38 ~~SEC. 3.~~

39 SEC. 5. Section 8244 of the Government Code is amended to
40 read:

1 8244. The commission shall have the powers and authority
2 necessary to carry out the duties imposed upon it by this chapter,
3 including, but not limited to, the following:

4 ~~(a) To advise the Governor and the Legislature on the gender~~
5 ~~impact of the state's proposed budget. The committee shall report~~
6 ~~its findings during legislative budget subcommittee hearings.~~

7 ~~(b)~~

8 (a) To employ ~~such~~, *to the extent funds are available*, any
9 administrative, technical and other personnel as may be necessary
10 for the performance of its powers and duties.

11 ~~(c)~~

12 (b) To hold hearings, make and sign any agreements and to do
13 or perform any acts which may be necessary, desirable, or proper
14 to carry out the purposes of this chapter.

15 ~~(d)~~

16 (c) To cooperate with, and secure the cooperation of, any
17 department, division, board, bureau, commission, or other agency
18 of the state to facilitate it properly to carry out its powers and duties
19 hereunder.

20 ~~(e)~~

21 (d) To appoint, *to the extent funds are available*, advisers or
22 advisory committees from time to time when the commission
23 determines that the experience or expertise of ~~such~~ *those* advisers
24 or advisory committees is needed for projects of the commission.
25 Section 11009 is applicable to advisers or advisory committees.

26 ~~(f)~~

27 (e) To accept any federal funds granted, by act of Congress or
28 by executive order, for all or any of the purposes of this chapter.

29 ~~(g)~~

30 (f) To accept any gifts, donations, grants, or bequests for all or
31 any of the purposes of this chapter.

32 ~~SEC. 4. Section 8245 of the Government Code is repealed.~~

33 *SEC. 6. Section 8245 of the Government Code is amended to*
34 *read:*

35 8245. (a) The commission shall, *to the extent funds are*
36 *available*, study *all of* the following:

37 ~~(1) Women's educational and employment problems, needs,~~
38 ~~and opportunities.~~

~~(2) State laws in regard to the civil and political rights of women, including pensions, tax requirements, property rights, marriage and dissolution of marriage provisions, and similar matters.~~

~~(3) The effect of social attitudes and pressures and economic considerations in shaping the roles to be assumed by women in the society.~~

~~(4) Any laws, practices, or conditions concerning or affecting women which impose special limitations or burdens upon them or upon society, or which limit or tend to limit opportunities available to women.~~

(1) Educational needs of women and girls.

(2) Women's economic opportunities and employment rights.

(3) Needs of working women, including, but not limited to, leave, child care, and pay equity.

(4) The effect that the state budget has on women and children.

(5) Violence against women, including, but not limited to, human trafficking.

(6) The Legislature may recommend that the commission study additional current issues relevant to women.

(b) The commission shall, to the extent funds are available, act as an information center on the status of women and women's educational, employment, and other related needs.

(c) The commission shall, to the extent funds are available, recommend, develop, prepare, or coordinate materials, projects, or other activities, and shall give technical and consultative advice to public or private groups or persons concerned with any of the following: topics described in subdivision (a).

~~(1) Preventing or minimizing problems brought about by the changing roles and responsibilities of women.~~

~~(2) Developing programs to encourage and enable women to be fully contributing members of society.~~

(d) A prime function of the commission to the extent funds are available, shall, be to encourage women's organizations and other groups to institute local self-help activities designed to meet women's educational, employment, and related needs. The commission shall make reports on its activities, findings, and recommendations to the Legislature from time to time, but not less often than every odd-numbered year.

1 ~~SEC. 5.~~

2 ~~SEC. 7.~~ Section 8246 of the Government Code is amended to
3 read:

4 8246. (a) The commission is expressly authorized to inform
5 the Legislature of its position on any legislative proposal pending
6 before the Legislature and to urge the introduction of legislative
7 proposals to correct inequities provided in the State Budget.

8 (b) The commission is expressly authorized to state its position
9 and viewpoint on issues as they relate to the State Budget
10 developed in the performance of its duties and responsibilities as
11 specified in this chapter.

12 ~~(e) This section is declaratory of existing law.~~

13 ~~(c) The commission is expressly authorized to review the~~
14 ~~implementation of any law to ensure that the law does not~~
15 ~~discriminate against women or create an inequitable environment~~
16 ~~for women.~~

17 ~~SEC. 6.~~ Section 8250.5 is added to the Government Code, to
18 read:

19 ~~8250.5. Notwithstanding Section 13340, there is hereby~~
20 ~~annually appropriated, on a fiscal year basis, four hundred~~
21 ~~sixty-five thousand dollars (\$465,000) from the General Fund to~~
22 ~~the Commission on the Status of Women for purposes of~~
23 ~~implementing this chapter.~~